

7. On October 23, 2023, Judge Christopher J. Burke U.D.S.J., in the U.S. Federal District Court of Delaware issued an mediation order Pursuant to Court's July 19, 2023 Standing Order regarding procedures governing mediation of all appeals from the United States Bankruptcy Court for the District of Delaware. See **Ex.1**
8. The Movant, debtor Elizabeth Thomas, co-debtors James Allen, Allan Haye, Robert L. Thomas and the Creditor: PCF Investments Inc., a/k/a/ PCF Properties in Texas LLC., have entered on December 17, 2023, into a binding settlement agreement as to all claims and seek file the settlement agreement so as to dismiss the appeal
9. The Movant, debtor Elizabeth Thomas, co-debtors James Allen, Allan Haye, Robert L. Thomas, seeks the record to reflect that P.C.F. PROPERTIES IN TX LLC, is a Texas Limited Liability Company **Ex. 2**, with a similar name to the creditor PCF Properties in Texas LLC, whom is ***not*** a Texas Limited Liability Company. **Ex.3**. These two entities are unrelated separate and distinct.
10. P.C.F. PROPERTIES IN TX LLC, Texas Limited Liability Company is not a party the Appeal in the U.S. District Court of Delaware under case No. 23-CV-01047, presently pending before the Honorable Chief Judge Colm F. Connolly, .U.S.D.J.
11. The Movant, debtor Elizabeth Thomas, co-debtors James Allen, Allan Haye, Robert L. Thomas and the Creditor: PCF Investments Inc., a/k/a/ PCF Properties in Texas LLC., are not seeking to litigate before this court the parties merely seek the court to lift the stay or determine no stay is in effect.
12. The Movant, debtor Elizabeth Thomas, co-debtors James Allen, Allan Haye, Robert L. Thomas and the Creditor: PCF Investments Inc., a/k/a/ PCF Properties in Texas LLC have agreed to condition the automatic stay pursuant to the terms of the attached agreed order. Accordingly the parties request entry of the agreed order on a expedite basis.

Date: February 15, 2024.

Respectfully submitted,

THE JAMES M. ANDERSEN LAW FIRM

/s/James M. Andersen

James M. Andersen

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Certificate of Conference

On February 15, 2024, the Movant James M. Andersen conferred with Attorney Alzadia Spires counsel of record for the Creditor PCF Properties in Texas LLC in the First Court of Appeals in Houston as to whether she agrees with Creditor PCF Properties in Texas LLC with the filing of this motion and counsel agreed.

/s/James M. Andersen

James M. Andersen

Certificate of Service and Certificate of Compliance with BLR 4001

A copy of this motion was served on the persons shown on exhibit “1” at the addresses reflected on that exhibit on February 15, 2024 by prepaid United States first class mail. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/James M. Andersen

James M. Andersen

CREDITORS MATRIX

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MERITAGE HOMES CORPORATION
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United States Courts
Southern District of Texas
FILED

DEC 19 2023

Nathan Ochsner, Clerk of Court

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